

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
FRANCESCO GALLO,

Plaintiff,  
-against-  
  
ALITALIA – LINEE Aeree ITALIANE –  
SOCIETA PER AZIONI, PIERANDREA GALLI,  
and GIULIO LIBUTTI,  
  
Defendants.

Case No. 07 CV 06418 (CM)(HP)

**NOTICE OF MOTION FOR  
SUMMARY JUDGMENT**

**PLEASE TAKE NOTICE THAT**, upon the Amended Complaint of plaintiff Francesco Gallo (Exhibit 1 hereto), the defendants' Answer (Exhibit 2 hereto), Defendants' Joint Statement of Uncontested Material Facts, the Affirmation of Alan M. Koral in Support of Defendants' Motion for Summary Judgment, and Defendant Alitalia's Memorandum of Law in Support of its Motion for Summary Judgment, defendant Alitalia Linee Aeree S.p.A. ("Alitalia"), by its attorneys, Vedder Price P.C., will move this Court at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, Courtroom 21B, at a date and time to be determined by the Court, for an order pursuant to FRCP 56(b), granting summary judgment in favor of Alitalia on the grounds that Plaintiff fails to state a claim against it, and for such other and further relief as the Court may deem just and proper.<sup>1</sup>

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<sup>1</sup> Defendants Pierandrea Galli and Giulio Libutti are simultaneously submitting their own separate motion for summary judgment.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Judge McMahon's Individual Practices, opposing papers, if any, must be served on the undersigned no later than fourteen days after receipt of this motion.

Dated: New York, New York  
April 28, 2008

VEDDER PRICE P.C.

By: /s/ Alan M. Koral

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